

WASHINGTON COUNTY COMMISSION MEETING
MINUTES
MARCH 16, 2010

The Regular Meeting of the Board of the Washington County Commission was called to order by Chairman James J. Eardley at 4:00 p.m. on March 16, 2010, in the Commission Chambers, Washington County Administration Building, St. George, Utah. Those in attendance were Commission Chairman James J. Eardley, Commissioner Alan D. Gardner, Commissioner Denny Drake, County Administrator Dean Cox, Deputy County Attorney David L. Patterson, and Deputy County Clerk Christine Hall.

The Spectrum was represented by Brian Ahern at the meeting.

Commissioner Gardner led the Pledge of Allegiance.

AGENDA

CONSENT AGENDA:

The Consent Agenda is a means of expediting routine matters which come before the Commission for approval. The Consent Portion of the agenda is approved by one (1) non-debatable motion. If any Commissioner wishes to remove an item from the Consent Portion of the agenda, then that item becomes the first order of business on the regular agenda.

Consideration of Auditor Approved Claims for Payment for March 3, 2010, through March 16, 2010

Consideration of Regular Commission Meeting Minutes from March 2, 2010

Consideration of Administrative Adjustments / Real Property (attached)

Consideration of Administrative Adjustments / Personal Property (attached)

Consideration of Applications for Settlement or Deferral of Property Taxes:

Consideration of Applications for Property Tax Abatement (5):

Ronald Cundick, Serial Number L-SRE-30 (for 2008); Ronald Cundick, Serial

Number L-SRE-30 (for 2009); Marion Leany, Serial Number SG-PKCL-10;

Merle Orton, Serial Number W-HOW-1-14; and Sylvia Schudde, Serial Number SG-CNYD-4-42

Actions of the Washington County Planning Commission: 03-09-10

Site Plan Review Extension: Review construction progress on a 2,400 square foot metal building for a warehouse rental within the M-1 (Manufacturing) Zone near Veyo, Utah. Allen Feller, applicant.

MOTION: Motion by Commissioner Drake to Approve the Consent Agenda with the exception of the Site Plan Review Extension, which should not have been included on the Consent Agenda. Motion seconded by

Commissioner Gardner and carried by unanimous vote, with Commissioners Eardley, Gardner, and Drake voting aye.

REGULAR AGENDA ITEMS FOR CONSIDERATION:

EMERGENCY SERVICES REPORT / CORY PULSIPHER

Lt. Cory Pulsipher of the Washington County Sheriff's Office reported that it has been a slow month for the Search and Rescue Team. There were only two (2) call-outs, one in the General Steam Road area and one in Pine Valley. Both incidents were successfully resolved, with a total of six (6) man-hours involved.

PURCHASE REQUESTS/ MARK BLANCH

Road Department, final payment for John Deere grader	\$75,000.00
Sheriff's Office (2)	
Vehicle equipment and installation	52,998.00
Video systems	15,570.00

Commissioner Drake asked for clarification from the Sheriff's Office on the equipment being requested. Cory Pulsipher said that Lt. Dan Endter is supervising this project and would meet with the Commission at any time to explain these purchases further.

All purchases are budgeted, bonded, or paid for through grant funds.

MOTION: Motion by Commissioner Drake to Approve the Purchase Requests as presented, on the Condition that a Representative from the Sheriff's Office will provide further explanations of the vehicle equipment purchases to the Commission. Motion seconded by Commissioner Gardner and carried by unanimous vote, with Commissioners Eardley, Gardner, and Drake voting aye.

PRESENTATION TO JACQUELINE LEWIS, NEW HARMONY BRANCH OF THE WASHINGTON COUNTY LIBRARY SYSTEM

The Commission presented a plaque to Jacqueline Lewis, who was instrumental in the creation and development of the New Harmony branch of the Washington County Library. Ms. Lewis was honored for her selfless dedication to the promotion of this branch of the library, and Administrator Dean Cox added that Ms. Lewis's husband also volunteered a great deal of his time toward this worthy cause.

Ms. Lewis expressed appreciation to the Commission for its ongoing support of the library system.

PRESENTATION OF BUSINESS PATRIOT AWARD TO DUTTON AIR CARE, INC.

A representative of Dutton Air Care, Inc., received the Business Patriot Award from Commissioner Drake, who again congratulated this and all other businesses in the County that conform to the rule of law and E-verify the legal status of their employees.

CONSIDERATION OF ORDINANCE NO. 2010-992-O, AN ORDINANCE AMENDING AND SUPERSEDING TITLE 10, CHAPTER 8B: RESIDENTIAL ESTATES ZONE, SECTION 10-8D-3.B.C OF THE WASHINGTON COUNTY CODE (BED AND BREAKFAST CONDITIONAL USE: NOTICE TO PROPERTY OWNERS PRIOR TO HEARING)

This item was tabled at the Commission meeting on February 16, 2010, for further review. Deputy County Attorney David Patterson said that this ordinance now conforms to all others in terms of notice requirements to property owners prior to any hearing.

MOTION: Motion by Commissioner Gardner to Adopt Ordinance No. 2010-992-O, An Ordinance Amending And Superseding Title 10, Chapter 8B: Residential Estates Zone, Section 10-8D-3.B.c Of The Washington County Code (Bed And Breakfast Conditional Use: Notice To Property Owners Prior To Hearing). Motion seconded by Commissioner Drake and carried by unanimous vote, with Commissioners Eardley, Gardner, and Drake voting aye.

CONSIDERATION OF RESOLUTION NO. R-2010-1429, A RESOLUTION APPROVING THE EXECUTION OF A DATA SHARING AGREEMENT BETWEEN THE UNITED STATES DEPARTMENT OF THE INTERIOR, BUREAU OF LAND MANAGEMENT, ARIZONA STRIP DISTRICT, AND COOPERATING AGENCIES, ONE OF WHICH IS WASHINGTON COUNTY, WHICH ARE IDENTIFIED AS "COOPERATING AGENCIES" IN SEPARATE EXECUTED MEMORANDUMS OF UNDERSTANDING WITH EACH PARTICIPANT

Commissioner Gardner explained that this resolution would approve a Data Sharing Agreement among the cooperating parties for use in uranium mining in the Arizona Strip.

MOTION: Motion by Commissioner Gardner to Adopt Resolution No. R-2010-1429, A Resolution Approving The Execution Of A Data Sharing Agreement Between The United States Department Of The Interior, Bureau Of Land Management, Arizona Strip District, And Cooperating Agencies, One Of Which Is Washington County, Which

Are Identified As "Cooperating Agencies" In Separate Executed Memorandums Of Understanding With Each Participant. Motion seconded by Commissioner Drake and carried by unanimous vote, with Commissioners Eardley, Gardner, and Drake voting aye.

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CONSIDERATION OF RESOLUTION NO. R-2010-1430, A RESOLUTION APPROVING AN AGREEMENT BETWEEN GOLFSWITCH, INC, AND WASHINGTON COUNTY TO PROVIDE WEB-BASED SERVICES TO ALLOW RESERVATIONS OF TEE TIMES FOR THE GOLF COURSES PARTICIPATING IN THE RED ROCK GOLF TRAIL PROGRAM SPONSORED BY THE WASHINGTON COUNTY CONVENTION AND VISITORS BUREAU

Mr. Patterson said that nine (9) golf courses in Washington County participate in the Red Rock Golf Trail Program and would benefit greatly from this contract with GolfSwitch, which, in turn, would result in economic benefit to the County as a whole.

MOTION: Motion by Commissioner Drake to Adopt Resolution No. R-2010-1430, A Resolution Approving An Agreement Between GolfSwitch, Inc, And Washington County To Provide Web-Based Services To Allow Reservations Of Tee Times For The Golf Courses Participating In The Red Rock Golf Trail Program Sponsored By The Washington County Convention And Visitors Bureau. Motion seconded by Commissioner Gardner and carried by unanimous vote, with Commissioners Eardley, Gardner, and Drake voting aye.

CONSIDERATION OF RESOLUTION NO. R-2010-1431, A RESOLUTION ELECTING TO ADMINISTER ELECTIONS ENTIRELY BY ABSENTEE BALLOT IN VOTING DISTRICTS THAT QUALIFY FOR ELECTION BY ABSENTEE BALLOT PURSUANT TO UTAH CODE ANNOTATED, SECTION 20A-3-301 ET SEQ UNLESS A QUALIFIED VOTING DISTRICT PREFERS TO CONDUCT ITS ELECTION BY VOTING AT THE POLLS

Chairman Eardley said that this issue was first considered last year, as several outlying communities requested permission to vote by mail in their precincts. Such permission was granted temporarily, for the municipal election in November, 2009, with the issue being revisited after those results were analyzed. Among those in attendance who desired to address the Commission:

- Hyrum Lefler, Mayor of Leeds, who praised the mail-in ballot process, saying that the voter turnout in the last election was greatly enhanced. He expressed concern about the quality of the envelope distributed to voters, however, as it was virtually transparent.

- Faye Copeland, Springdale Town Clerk, who reported a sixty-four percent (64%) voter turnout in Springdale, a direct result of the absentee voting process.
- Fran Rex, Clerk/Recorder of Leeds, who said that there was extensive publicity for the candidates and the issues in the last election.
- Tracy Peek, who asked how each precinct decides whether it will participate in the mail-in ballot process.
- Melanie Abplanalp, Election Clerk of the Washington County Clerk-Auditor's Office, who told Mr. Peek that any precinct can make that decision as long as it informs the Clerk-Auditor's Office sixty (60) days or sooner before the election. She also addressed Mayor Lefler's concern, saying that the Leeds area had received substandard envelopes as a result of a problem with the printing company; that problem will be resolved before the next election (June 22, 2010).

Chairman Eardley reiterated his main concern with mail-in voting, namely that an electorate that does not have to put forth any effort into the voting process may be a poorly-motivated and, therefore, poorly informed electorate. However, he said that any system that increases voter turnout is to be encouraged, and therefore he will vote to approve it.

MOTION: Motion by Commissioner Drake to Adopt Resolution No. R-2010-1431, A Resolution Electing To Administer Elections Entirely By Absentee Ballot In Voting Districts That Qualify For Election By Absentee Ballot Pursuant To Utah Code Annotated, Section 20A-3-301 *Et Seq* Unless A Qualified Voting District Prefers To Conduct Its Election By Voting At The Polls. Motion seconded by Commissioner Gardner and carried by unanimous vote, with Commissioners Eardley, Gardner, and Drake voting aye.

PUBLIC WORKS OR ROAD BUSINESS

Public Works Director Ron Whitehead updated the Commission on several projects:

- The Natural Resource Conservation Service (NRCS) is wrapping up its work in the Gunlock area. A final walk-through is planned for Friday, March 19, 2010.
- The Washington County Water Conservation District is conducting sediment removal work in the southern part of the County.
- The Public Works Department has received phone calls from citizens concerned about potential flooding. Mr. Whitehead stated that they have received information from the National Weather Service that the potential for flooding due to runoff alone is not very likely at this point. There is a greater than normal snowpack, and the water content is quite high; but it would take a strong storm event along with the snow melt to cause major flooding..

- The NRCS has approved funding in the amount of 1.1 million dollars (\$1,100,000.00) for emergency watershed work in the New Harmony Area. NRCS is now working with the County to determine which projects can be worked on and how to meet the match required for the federal funding.

COUNTY DEVELOPMENT AND PLANNING BUSINESS

Administrator Dean Cox reported that the search for an Emergency Services Director has resulted in an offer being extended to Mr. Pete Kuhlmann. There were sixty-two (62) applications, and six (6) candidates were interviewed twice each. Out of this worthy group, Mr. Kuhlmann has superior knowledge, experience, and skills, and Mr. Cox recommended Commission approval for his appointment.

MOTION: Motion by Commissioner Gardner to Approve the Appointment of Pete Kuhlmann as Emergency Services Director of Washington County. Motion seconded by Commissioner Drake and carried by unanimous vote, with Commissioners Eardley, Gardner, and Drake voting aye.

Additionally, there are six (6) dwellings on County property that are now vacant and will be demolished in preparation for the building of the new County Attorney's Building, which will probably go out to bid at the end of April.

Request an Executive Session

None.

There being nothing further to come before the Commission, the meeting was adjourned at 4:41 p.m.

CHRISTINE S. HALL
DEPUTY CLERK

JAMES J. EARDLEY
CHAIRMAN